

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Feb 21, 2019**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender:	Dale Joseph Tindal	Case Number:	0980 2:16CR00200-SAB-1
Address of Offender:	Mead, Washington 99021		
Name of Sentencing Judicial Officer:	The Honorable Stanley A. Bastian, U.S. District Judge		
Date of Original Sentence:	December 14, 2017		
Original Offense:	Crime on Indian Reservation - Attempted Arson, 18 U.S.C. §§ 81 and 1153		
Original Sentence:	Prison - 290 days TSR - 60 days	Type of Supervision:	Supervised Release
Revocation Sentence:	Prison - 2 months 09/13/2018 TSR - 48 months		
Asst. U.S. Attorney:	Alison L. Gregoire	Date Supervision Commenced:	October 6, 2018
Defense Attorney:	Amy H. Rubin	Date Supervision Expires:	October 5, 2022

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**PETITIONING THE COURT**

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/18/2019 and 01/30/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
4	<p><b><u>Standard Condition # 2:</u></b> After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Tindal failed to show for a probation appointment on February 19, 2019, as previously instructed by the probation officer.</p> <p>On October 11, 2018, Mr. Tindal participated in a supervision intake at the U.S. Probation Office. On that date, the mandatory, standard, and special conditions of supervised release were reviewed with the offender. Mr. Tindal signed a copy of the conditions of supervision acknowledging his understanding of those conditions.</p> <p>On February 13, 2019, the undersigned met with Mr. Tindal at his current residence. It was at that time Mr. Tindal was reminded that he was to report to the U.S. Probation Office on February 19, 2019, for a previously scheduled appointment. On February 19, 2019, the</p>

undersigned spoke at length with Mr. Tindal's mother, in which she went to Mr. Tindal's residence in the morning with the intention of taking him to his appointments on that day. Ms. Tindal further informed the undersigned that Mr. Tindal refused to go with her and opted to go back to sleep, thus he failed to show for his previously scheduled appointments, including reporting to the U.S. probation officer as he was previously instructed. The undersigned attempted to contact Mr. Tindal's cell phone though it appeared to be disconnected.

- 5      **Special Condition # 6:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** Mr. Tindal violated the conditions of his supervised release by failing to submit a urinalysis as directed on February 19, 2019.

On November 15, 2018, Mr. Tindal was advised he would be on the phase urinalysis testing program at Pioneer Human Services (PHS), in conjunction with his outpatient treatment. Mr. Tindal was further advised he would be on the urinalysis testing color gold. He was directed to call the testing line every day, and was to report to PHS on the days gold was called, in order to submit a urinalysis. Mr. Tindal acknowledged an understanding of this process.

On February 19, 2019, without being excused by U.S. Probation, Mr. Tindal failed to show to PHS and submit a urinalysis, as gold was scheduled on this date.

- 6      **Special Condition # 2:** You must complete a mental health evaluation and follow and treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

**Supporting Evidence:** Mr. Tindal failed to follow mental health treatment recommendations by failing to attend scheduled treatment sessions.

On October 11, 2018, Mr. Tindal participated in a supervision intake at the U.S. Probation Office. On that date, the mandatory, standard, and special conditions of supervised release were reviewed with the offender. Mr. Tindal signed a copy of the conditions of supervision acknowledging his understanding of those conditions.

On February 19, 2019, the undersigned spoke at length with Mr. Tindal's mental health therapist from Frontier Behavioral Health (FBH). The therapist relayed that Mr. Tindal last rescheduled an appointment set for February 12, 2019, to February 19, 2019. Mr. Tindal failed to show to FBH on February 19, 2019, and/or contact them in any manner. The therapist further stated that Mr. Tindal was last seen at FBH on December 27, 2018, and due to his continued noncompliant status he will be mailed a letter stating if he fails to show to FBH by March 15, 2019, he will be discontinued from all services including medication management.

**Re: Tindal, Dale Joseph**

**February 20, 2019**

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The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/20/2019

s/Jonathan C. Bot

Jonathan C. Bot  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

2/21/2019

Date